

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35431

STATE OF IDAHO,)	2009 Unpublished Opinion No. 421
)	
Plaintiff-Respondent,)	Filed: April 9, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
DANNY LEE RAZUTIS,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Michael E. Wetherell, District Judge.

Judgment of conviction and unified sentence of five years, with three years determinate, for destruction of evidence, affirmed.

Greg S. Silvey, Kuna, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge, PERRY, Judge
and GUTIERREZ, Judge

PER CURIAM

Danny Lee Razutis was charged with possession of methamphetamine, destruction, alteration or concealment of evidence, providing false information to law enforcement, possession of drug paraphernalia, driving without privileges and possession of a legend drug without a prescription. While released on bond, Razutis was charged with seven new crimes. Pursuant to a plea agreement, Razutis pled guilty to destruction of evidence, I.C. § 18-2603, and providing false information to law enforcement, I.C. § 5413(2), in the instant case and was sentenced to a unified term of five years, with three years determinate, for the destruction of evidence charge and a concurrent six months for the providing false information charge. Razutis

appeals from his judgment of conviction and sentence, contending that the district court abused its discretion by imposing an excessive sentence on the felony charge.

Where a sentence is within the statutory limits, it will not be disturbed on appeal absent an abuse of the sentencing court's discretion. *State v. Hedger*, 115 Idaho 598, 604, 768 P.2d 1331, 1337 (1989). We will not conclude on review that the sentencing court abused its discretion unless the sentence is unreasonable under the facts of the case. *State v. Brown*, 121 Idaho 385, 393, 825 P.2d 482, 490 (1992). In evaluating the reasonableness of a sentence, we consider the nature of the offense and the character of the offender, applying our well-established standards of review. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 170 P.3d 387 (2007).

Applying the foregoing standards and having reviewed the record, we conclude that the district court did not abuse its discretion by imposing the sentence. Accordingly, Razutis's judgment of conviction and sentence are affirmed.